SAN LUIS OBISPO COUNTY HEALTH AGENCY

Health Commission

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May 15, 2012

San Luis Obispo County Board of Supervisors
County Government Center, Room D-430
San Luis Obispo, California 93408

Re: Review of the Final Environmental Impact Report (FEIR) of the Exceleron Oil Project

Members of the Board:

The Health Commission has evaluated the Final Environmental Impact Report (FEIR) of the Exceleron Oil Project and has identified the following significant issues that we feel are not being addressed or sufficiently mitigated. We are requesting your help to bring the following issues back to the Planning Department to be properly addressed.

The Appendix of the FEIR lists a response to our response to the Draft EIR item #CHC-1 (please refer to FEIR) which specifies that the Monterey formation oil is a Napthenic (Asphaltic) crude which is accompanied by toxic PAHs (Poly Aromatic Hydrocarbons) although there is no accompanying analysis to document the various concentrations.
Should we assume:

HC-1

1) *That the concentrations of PAHs are unknown at this time; and*
2) *That an updated Health Risk Assessment will be forthcoming should there be a magnitude of difference from the EIR employed fugitive emission factors listed in Vol. 3, Appendix D and the actual emission factors?*

Furthermore, Vol. II Response To Comments "01 Government Agency Response and Comments" lists a response #CHC-3 which specifies a rationale for a sufficient oil spill accumulative impact, but it does not address a produced water accumulated impact which was a part of our original question which was submitted in our response to the Draft EIR.

HC-2

3) *Shouldn't Table 4.9.1 include a produced water spill scenario?*

Making the following assumptions below, we have identified the possibility of an impact to soil and groundwater from a produced water spill.

Assumptions:
Total Dissolved Solids of Produced Water = 6,000 mg/l (predominately saline)
5 Wells produce 2,000 bbls/day (maximum 3,000 bbls/day)
A single spill undiscovered for 5 hours at night in an uncontained pipeline going to the injection well = 417 bbls (2,000 X 5 / 24)
Calculation of a single TDS spill magnitude = 876 pounds (417 X 42 X 6,000 X 8.345 / 1,000,000)

4) *What is the lifetime accumulated impact on groundwater when most, if not all, of an uncontained produced water spill will be soaked into dry soil and then washed deeper into the strata, perhaps groundwater bearing, during the next rain event?*
5) *Should the produced water be anticipated to contain elevated boron levels which are typical of other heavy oil fields?*
6) *Should the elevated boron levels have a lifetime accumulated impact on groundwater since humans, animals, and sensitive irrigated plants have a low tolerance for boron levels above 1 mg/l which is the State Notification Level?*

HC-3

And finally, there is a provision for using a "cutter" diluent in Appendix I, Pipeline Alternative Engineering Report.

7) *Shouldn't the FEIR include a cutter spill scenario in Table 4.9.1 and include an impact statement and sufficient mitigation? There is a historic reasoning for this question as a huge diluent spill (the largest in California history) had to be cleaned up on our own Guadalupe dunes.*

HC-

The answers to the above questions will help our Commission to understand the potential health-related issues associated with this project and the measures taken to mitigate them.

Thank you.

Sincerely,

Ed Guerena

Ed Guerena, Pharm D.
Chair